



Our Docket: 5028CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Charles A. NICOLETTE

Serial No.: 10/017,327

Filed: December 6, 2001

For: COMPOUNDS FOR THERAPY AND  
DIAGNOSIS AND METHOD FOR  
USING SAME

) Art Unit: 1642

) Examiner: Misook Yu

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
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July 22, 2005  
Date

[Signature]  
Signature of person mailing correspondence

**Amendment to a Sequence Listing and Computer Readable Copy Thereof Under 37 C.F.R. § 1.825**

In compliance with 37 C.F.R. § 1.825, Applicants respectfully request amendment of the paper copy of the "Sequence Listing" and amendment of the compact disc copy of the "Sequence Listing" for the above-referenced patent application. In compliance with 37 C.F.R. § 1.825(a), Applicants have enclosed herewith 1) substitute sheets comprising the amended "Sequence Listing" for entry into the instant specification, 2) two replacement compact discs comprising the computer readable form of the amended Sequence Listing, and 3) a statement identifying the location of support in the instant specification for the instant amendments. Applicants assert that neither these substitute sheets nor the compact discs include new matter.

This amended Sequence Listing conforms to the requirements of 37 C.F.R. 1.821- 1.824. This Sequence Listing comprises a paper copy of the Sequence Listing in accordance with 37 C.F.R. § 1.821(c) and a computer readable form of the Sequence Listing in the form of two compact disks in accordance with 37 C.F.R. § 1.821(e) and 37 C.F.R. § 1.52(e). Applicants hereby submit the statement required under 37 C.F.R. § 1.821(f) that the sequence listing information recorded in computer readable form (compact disk) is identical to the written (paper copy) of the sequence listing. Applicants also submit the statement required under 37 C.F.R. § 1.821(g) that the sequence listing information recorded in computer readable form (compact disk) contains no new matter.

## I. Support for amendments to the sequence listing

Support for the amendments made to the organism type (from "homo sapiens" to the correct "artificial") and the description of the artificial sequence for SEQ ID NO:3, SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO:6, SEQ ID NO:7, SEQ ID NO:8, SEQ ID NO:9, and SEQ ID NO:10 is found throughout the instant specification and particularly at paragraphs [0021], [0121], and [0122], respectively.

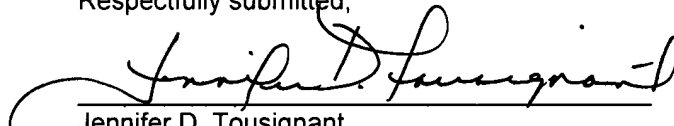
Support for the entry of SEQ ID NO:12 is found throughout the instant specification and particularly at paragraph [0042] and [0043]. The sequence is described in paragraph [0043] but was inadvertently left out of the sequence listing originally filed in the instant application. Therefore, Applicant asserts that these amendments do not add new matter and Applicant respectfully requests that the original Sequence Listing be replaced with the amended Sequence Listing enclosed herein.

## II. Conclusion

No fee is deemed necessary in connection with the filing of this communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 07-1074.

7/22/05  
Date

Respectfully submitted,



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